

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR ELECTRONIC SESSION ON TUESDAY, AUGUST 27, 2024 AT 6:34 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR KAREN LANG.

THE FOLLOWING MEMBERS WERE PRESENT:

Karen Lang, Mayor
Don Christensen, Councilmember At-Large (*electronically*)
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Scott Harmon, Councilmember District 2
William Whetstone, Councilmember District 3
Jake Fitisemanu, Councilmember District 4 (*electronically*)

STAFF PRESENT:

Ifo Pili, City Manager
Nichole Camac, City Recorder
John Flores, Assistant City Manager
Eric Bunderson, City Attorney
Colleen Jacobs, Police Chief
John Evans, Fire Chief
Jim Welch, Finance Director
Steve Pastorik, CED Director
Layne Morris, CPD Director
Dan Johnson, Public Works Director
Jamie Young, Parks and Recreation Director
Jonathan Springmeyer, RDA Director
Sam Johnson, Strategic Communications Director
Travis Crosby, IT

OPENING CEREMONY- MAYOR KAREN LANG

Mayor Karen Lang asked members of the Council, staff, and audience to rise and recite the Pledge of Allegiance.

APPROVAL OF MINUTES OF REGULAR MEETING HELD AUGUST 20, 2024

The Council considered the Minutes of the Regular Meeting held August 20, 2024. There were no changes, corrections or deletions.

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-2-

Councilmember Whetstone moved to approve the Minutes of the Regular Meeting held August 20, 2024. Councilmember Huynh seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

PUBLIC COMMENT PERIOD

Darrell Curtis thanked the City for a recently approved streetlight and requested sidewalks near Hunter Junior High. Mr. Curtis expressed concern about engine brake noise on Mountain View Corridor.

Mike Markham thanked the Fire Department for their efforts related to a neighbor. Mr. Markham expressed concern regarding Code Enforcement.

Jim Vesock expressed concern regarding Code Enforcement. He stated that he attended a Shiny Shell carwash event which raised money with the Police Department. He noted that he is also concerned about the sign ordinance.

Councilmember Harmon stated that he has contacted staff about tow trucks, outside storage, and other issues. The map shows some enforcement cases that are over a year old.

PUBLIC HEARINGS

A. ACCEPT PUBLIC INPUT REGARDING APPLICATION GPZ-1-2024, FILED BY PAUL AND KAREEN SWENSON, REQUESTING A GENERAL PLAN CHANGE FROM LARGE LOT RESIDENTIAL TO LIGHT MANUFACTURING AND A ZONE CHANGE FROM A (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE) TO M (MANUFACTURING) FOR PROPERTY LOCATED AT 4053 SOUTH 7200 WEST

Mayor Lang informed a public hearing had been advertised for the Regular Council Meeting scheduled August 27, 2024, in order for the City Council to hear and consider public comments regarding Application GPZ-1-2024, Filed By Paul and Kareen Swenson, Requesting a General Plan Change from Large Lot Residential to Light Manufacturing and a Zone Change from A (Agriculture, Minimum Lot Size ½ acre) to M (Manufacturing) for Property Located at 4053 South 7200 West.

Written documentation previously provided to the City Council included information as follows:

If this application is approved, the applicants intend to develop a self-storage facility on the subject property. Included with this report is a letter from the applicants that describe how they arrived at the proposed use. In summary, the applicants indicated that self-storage was the preferred use because residential isn't viable primarily due to Overpressure Zone A, commercial uses like retail, office, or a restaurant are unlikely in that there

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-3-

are no other similar businesses nearby, and most industrial uses would be problematic given the adjoining residential. In the applicants' letter they also mention that they will not pursue other uses allowed in the M zone.

The M zone requires a 20' building setback from a residential zone, agricultural zone, or residential use. The applicant is requesting that, through a development agreement, this 20' setback be reduced to 0' to eliminate a 20' space that is not visible to the public and could create a security concern for the neighboring residents. There are several self-storage facilities in the City that adjoin residential where the City's Board of Adjustment has approved variances to waive the setback requirement due to security concerns or the self-storage facility was constructed before the residential. A development agreement can be used to accomplish the same outcome.

The City has also submitted a General Plan/zone change application on the City-owned parcel to the south for a General Plan designation of Light Manufacturing and M zoning. If the City's application is approved, the 20' setback would not apply along the south property line.

Mayor Lang opened the Public Hearing.

Ruth Helvy stated that she lives to the east of the proposed property. She indicated that this area is growing and is primarily residential with a park, housing, etc. She stated that she would be concerned about property values decreasing. Ms. Helvy stated that she is concerned about lighting, grade, and the effect this type of development would have on her and her family.

Elizabeth Borden stated that this application was originally denied and expressed concern that the Council has asked to review it again. She indicated that she is concerned about the impact on her neighborhood.

Jim Vesock stated that he is in favor of this application. He stated that almost nothing else can be built on this property due to the overpressure zone and noted that there is a need for storage facilities.

Ray Helvy stated that this application would have a major personal impact on himself and neighbors. He expressed concern about noise, lighting, etc.

Mike Markham stated that he is familiar with the property and it's limited in what can be built on it. He added that a home would not be ideal due to the proximity of the train tracks.

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-4-

Darrel Curtis stated that he doesn't want West Valley City to be a City of storage units. He noted that there are better uses for this property.

Paul Swenson, the applicant, expressed appreciation to the Council for revisiting this application. He noted that there are two homes on the property with 9 people living there but 5 have been moved to other locations. Councilmember Nordfelt asked about the height of the building as well as lighting. Mr. Swenson stated that he would ensure the property complies with every regulation and noted that he wants to be a good neighbor to those in the area. He added that some fill has been brought to the property but that would be eliminated and the building would be constructed at the original grade. Mr. Swenson stated that lighting will be primarily by the front security gate. Mayor Lang asked what the hours will be. Mr. Swenson replied likely 8 am- 8 pm.

Mayor Lang closed the Public Hearing.

ACTION: ORDINANCE NO. 24-20, AMEND THE GENERAL PLAN TO SHOW A CHANGE OF LAND USE FROM LARGE LOT RESIDENTIAL TO LIGHT MANUFACTURING FOR PROPERTY LOCATED AT 4053 SOUTH 7200 WEST

The City Council previously held a public hearing regarding proposed Ordinance 24-20 that would amend the General Plan to Show a Change of Land Use from Large Lot Residential to Light Manufacturing for Property Located at 4053 South 7200 West

Councilmember Huynh stated that he changed his opinion on the application because he feels the pros outweigh the cons and believes this would be a good fit for the area.

Councilmember Fitisemanu stated that he doesn't have a real issue with the proposal but doesn't feel another storage facility is necessary in the City.

Councilmember Whetstone noted that he will continue to vote against this application. He stated that while the overpressure zone is in place now, it may not be in years to come and there may be a better use for this property at that time.

Councilmember Nordfelt stated that he agrees with Councilmember Whetstone but added that the overpressure zone has been in place for a very long time and will more than likely remain for the foreseeable future. He stated that housing is not an option and storage buildings will have the least effect on the neighborhood. Councilmember Nordfelt indicated that he doesn't believe lighting will be a concern and added that he feels this use is a good fit.

Mayor Lang clarified with Steve Pastorik, CD Director, the location of the overpressure zone and where new homes are being constructed in the area.

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-5-

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Huynh moved to approve Ordinance 24-20.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	No
Councilman Whetstone	No
Councilman Harmon	No
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Majority.

ACTION: ORDINANCE NO. 24-21, AMEND THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT 4053 SOUTH 7200 WEST FROM A (AGRICULTURE, MINIMUM LOT SIZE ½ ACRE) TO M (MANUFACTURING)

Mayor Lang discussed proposed Ordinance 24-21 that would amend the Zoning Map to Show a Change of Zone for Property Located at 4053 South 7200 West from A (Agriculture, Minimum Lot Size ½ acre) to M (Manufacturing).

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Nordfelt moved to approve Ordinance 24-21.

Councilmember Huynh seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	No
Councilman Whetstone	No
Councilman Harmon	No
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-6-

Majority.

ACTION: RESOLUTION NO. 24-81, AUTHORIZE THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH PAUL SWENSON FOR APPROXIMATELY 2.96 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 4053 SOUTH 7200 WEST

Mayor Lang discussed proposed Resolution 24-11 that would authorize the City to Enter into a Development Agreement with Paul Swenson for Approximately 2.96 Acres of Property Located at Approximately 4053 South 7200 West.

Written documentation previously provided to the City Council included information as follows:

Paul and Kareen Swenson have submitted a General Plan/zone change application (GPZ-1-2024) on 2.96 acres to change the General Plan from Large Lot Residential to Light Manufacturing and a zone change from A (Agriculture, minimum lot size ½ acre) to M (Manufacturing). The proposed use for the property is a self-storage facility.

The proposed development agreement:

1. limits the use of the property to a self-storage facility,
2. allows buildings to be built at the property line along the north and east sides of the property,
3. requires 7 feet of right-of-way dedication along 7200 West,
4. requires a cash payment to the City in lieu of off-site improvements due to the upcoming road project planned along 7200 West,
5. delays the installation of live-plant material and irrigation to avoid the City replacing these items with the 7200 West project, and
6. requires a temporary construction easement to the City to facilitate the 7200 West project.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Huynh moved to approve Resolution 24-81.

Councilmember Nordfelt seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu Yes

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-7-

Councilman Whetstone	No
Councilman Harmon	No
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Majority.

RESOLUTION 24-130: APPROVE AN EXECUTIVE ORDER TO AMEND THE PERSONNEL POLICIES AND PROCEDURES MANUAL

Mayor Lang presented proposed Resolution 24-130 that would approve an Executive Order to Amend the Personnel Policies and Procedures Manual.

Written documentation previously provided to the City Council included information as follows:

Our last amendment to the Personnel Policies and Procedures Manual was in November 2022. Since then, changes in employment law and City practices have rendered parts of the manual outdated. Consent of the City Council is required to finalize and implement the revised manual as outlined in City Code 3-2-102 (1) “The City Manager is the Chief Executive Officer of the City and has the following powers and duties:” (2) d. “Prescribe such rules and regulations by executive order, with the advice and consent of the City Council, as the City Manager shall deem necessary or expedient for the conduct of all departments, divisions, and offices; and revoke, suspend, or amend any rule or regulation by whoever prescribed.”

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Huynh moved to approve Resolution 24-130.

Councilmember Harmon seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-8-

Unanimous.

RESOLUTION 24-131: AUTHORIZE THE CITY TO ENTER INTO PROPERTY SCHEDULE NO. 25 OF THE MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT WITH US BANCORP GOVERNMENT LEASING AND FINANCING, INC. WITH RESPECT TO A LEASE FOR THE PURCHASE OF EQUIPMENT

Mayor Lang presented proposed Resolution 24-131 that would authorize the City to Enter Into Property Schedule No. 25 of the Master Tax-Exempt Lease/Purchase Agreement With US Bancorp Government Leasing and Financing, Inc. with Respect to a Lease for the Purchase of Equipment.

Written documentation previously provided to the City Council included information as follows:

Purchase of (1) Fire Truck. This lease is intended to last 7 years with semi-annual payments with an interest rate of 4.76%. The amount to be financed is \$400,000. The City will own the ambulance at the end of the lease term.

US Bancorp Government Leasing and Finance, Inc. has provided a highly competitive leasing proposal for the purchase of this equipment.

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Whetstone moved to approve Resolution 24-131.

Councilmember Harmon seconded the motion.

A roll call vote was taken:

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

RESOLUTION 24-132: AUTHORIZE THE PURCHASE OF A FIRE ENGINE

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-9-

FROM SIDDONS-MARTIN EMERGENCY GROUP

Mayor Lang presented proposed Resolution 24-132 that would authorize the Purchase of a Fire Engine from Siddons-Martin Emergency Group.

Written documentation previously provided to the City Council included information as follows:

West Valley City Department seeks to purchase a Type 3 wildland fire engine by utilizing the seasonal fire deployment revenue stream to make payments on this apparatus resulting in no cost to the taxpayers of West Valley City.

A type 3 fire engine specializes in wildland firefighting carrying 500 gallons of water with the ability to pump and roll along with having four-wheel drive capability. This type of apparatus would be extremely beneficial to the west side of the City in rolling grass hills by U-111. This apparatus would also be an asset during the wintertime due to the four-wheel drive.

This unit would also be in rotation for wildland deployments outside of the city/county/state. Requesting agencies or states pay a rate fee for apparatus and personnel set by Utah Forest Fire and State Lands.

Siddons-Martin Emergency Group is a participant in the Houston-Galveston Area Council, an interlocal entity offering purchasing and procurement services to municipalities around the nation. West Valley City is a member of HGAC and is entitled to purchase services at HGAC prices and from HGAC affiliates and members. Since this purchase is in accordance with HGAC procedures, procurement requirements have been satisfied pursuant to Section 5-3-108 of the West Valley City Municipal Code. The price indicated below is a competitive price and the product meets the City's needs.

Number of Apparatus	Type of Apparatus	Cost Per Apparatus
1	Type 3 BME Fire Engine	\$500,023.00

Upon inquiry by Mayor Lang there were no further questions from members of the City Council, and she called for a motion.

Councilmember Huynh moved to approve Resolution 24-132.

Councilmember Whetstone seconded the motion.

A roll call vote was taken:

MINUTES OF COUNCIL REGULAR MEETING AUGUST 27, 2024

-10-

Councilman Fitisemanu	Yes
Councilman Whetstone	Yes
Councilman Harmon	Yes
Councilman Huynh	Yes
Councilman Christensen	Yes
Councilman Nordfelt	Yes
Mayor Lang	Yes

Unanimous.

MOTION TO ADJOURN

Upon motion by Councilmember Huynh all voted in favor to adjourn.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE REGULAR MEETING OF TUESDAY, AUGUST 27, 2024 WAS ADJOURNED AT 7:19 P.M. BY MAYOR LANG.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, August 27, 2024.



Nichole Camac, MMC
City Recorder